

**CHAP. 116.** *firm* by the court and entered on record, but if the said inquest should be disaffirmed, or if from any cause the freeholders should fail to make one within reasonable time, the court may, at its discretion, as often as may be necessary, supersede them or direct another view and inquest to be made by other freeholders in manner aforesaid, on payment of the damages awarded, the ground viewed and assessed as aforesaid shall be vested in said company for the purposes contemplated by this act.

Damages—  
how ascertain-  
ed.

**SEC. 9.** *And be it enacted,* That if any persons, owners, occupiers or proprietors of lands, shall sustain any damages from injury to lands, or loss of health by reason of the construction of any dam or canal by said company, which had not been foreseen, estimated and satisfied, such person or persons may make application to the court of the county wherein the lands lie, for a writ of *ad quod damnum*, giving ten days previous notice to the president, or one of the directors of said company, upon which writ the like proceedings shall be had as are hereinbefore provided, and the court shall render judgment against the company for the damages assessed in such inquest when confirmed by the court.

To construct,  
build, &c.

**SEC. 10.** *And be it enacted,* That the said corporation is hereby authorised to construct, erect, build, make and use a canal, locks, dams, slackwater navigation, towing paths of suitable width and dimensions, to be determined by said corporation on the line, course and way selected or designated by them in manner aforesaid, and shall have power to regulate the time and manner in which the goods and passengers shall be transported, taken and carried on the same, and shall have power to erect and maintain toll-houses, and such other buildings for the accommodation of their concerns, as they may deem suitable to the interest of the corporation.

To charge toll.

**SEC. 11.** *And be it enacted,* That it shall be lawful for the company hereby incorporated, from time to time, to fix, regulate and receive the tolls and charges by them to be received for the transportation of property and passengers on their canal, locks, dams, slackwater navigation or ways aforesaid, hereby authorised to be constructed, erected, built, made and used; *provided,* the said tolls and charges shall not exceed twenty per centum more than those fixed and collected on the Chesapeake and Ohio canal.

Proviso.

Fine for ob-  
structing.

**SEC. 12.** *And be it enacted,* That if any person or persons shall wilfully do, or cause to be done any act or acts whatever, whereby any buildings, construction or work of said corporation, or any matter or thing ap-

pertain-  
paired  
person  
corpo  
means  
name  
trespa  
or inju  
shall b  
ed acc  
fence i  
punish  
SEC.  
hereby  
authori  
estate,  
lands o  
acres, v  
held, sh  
ceed in  
moiety o

SEC.  
pay two  
at the ti  
lawful f  
payment  
times, an  
as they  
of all pr  
of the pa  
where an  
days, by  
paper in  
city of R  
of Cumb  
and in th

SEC. 1  
act shall  
any futur  
cept so m  
sation or t  
of proper  
away or i